EDITORIAL CORRESPONDENCE.

Local Bills, de, de, RALEIGH, MONDAY, Jan. 28th, 1867. the session, there being no quorum on the portance is admitted by all, we purpose, in tiguous to this market is particularly called to Weldon. first, both Houses of the General Assembly a series of articles, treating of Education to them. began work with a zeal which indicates a in a comprehensive view, beginning with determination to get through with busi- the very fundamental principles, and enlargness as early as possible. Much has been ing upon its various branches, and the done during the first week, but with theex- adaptability of each to different classes of soception of the enrollment of the billamend- ciety. We shall endeavor to point out the ing the Revised Code in reference to Ap- necessities of each class, and to the best of tions, or where it wants the official scal of Could we induce capitalists to seek our prentices, striking out all difference in re- our ability indicate what will be most bengard to color, there has nothing of a gen- eficial in the development and improveeral nature been finally acted upon. Mr. ment of the moral and mental faculties, Leach's bill to protect property sold under and the means which can be most aptly execution from sacrifice, has occupied two employed for producing the most desirable have been subjected by the negligence or look into this matter? This was, before question of power, or of International Law void. And this they may do, either by ponded to by the Court and the Bar and and able debate has attended its consider- The genius of our people and the princi- in the United States, and why shall it not discusses the political course of any man or the Court had the power to bind out at all, to her and she kept her children. There days of the Senate, and a most interesting results. and opposed by Messrs. Wilson, Hall and sity for some system by which the rudi-

it seems that its passage would be idle In many of the States this is intrusted to a

offered and bids made. termined to make an honest effort to relieve occupation, specially trained for the partithe present necessities of the people, and cular pursuit? There is but one answer, it is truly to be hoped that something, and that is, that to insure success, such exwithin the limits of the law, may be de- perience is indispensable. If we but look vised and adopted without resorting to the properly at the past and will examine the producing districts have been notified that the ofradical means in some instances proposed. operations of the present, the necessity for of the permit, and you will recuse to recognize all Radicalism in National politics is fast drift- this preparation on the part of teachers permits for the removal of Cotton where the blank ing the country to inevitable ruin. Our will be so apparent, that argument will be tions, or where it wants the official seal of the Col-Legislature, by a manly conservatism in all needless to enforce it. Teaching effectual-State legislation, should endeavor to stem ly is one of the highest arts. To attain exthe torrent. Every afternoon the peculiar cellence in it requires assiduous study and friends of "relief" hold a caucus in the unwearying patience and energy. The Hall of the House of Commons, at which most brilliant genius is as likely to fair, as some thirty or forty members attend, but a teacher, as the least gifted, if he neglect as yet no definite action has been deter- that careful preparation, and disregard mined upon. Many members seem to think that constant attention to, and accuthat unless some compromise is settled rate study of, youthful characteristics, and are now being issued to the Spring Terms peraments, and above all, that unswerving the same can be allowed to land at the port of New of the Superior Courts will have no tribu- impartiality and sense of justice which advocate the abolition of the term.

at the last session to take into considera- thorough knowledge of what is to be taught, tion this subject, is understood to be ready for he who understands but imperfectly, to report, and will do so to-day. The bill will be sure to impart vaguely and inaccuto be presented has had the careful consid- rately. eration of lawyers of that body, and some Legislation will be necessary to start the of the ablest legal minds of the State. It system, and good judgment will have to be is thought by the friends of the proposed exercised in selecting an Educational bill that it will stand the test of the Courts, Board. They should be men who will be and is framed with due consideration for willing to labor in the cause over which the necessities of both creditor and debtor. | they are placed; men whose acquirements As soon as reported its provisions will be fit them for the position; and although we

the Virginia line near Mt. Airy. The bill worthy ends.

grants full power to the President and Di- As a great incentive to education, conrectors to extend this road across the N. C. ventions of all the teachers, of whatever railroad by the most practicable route to grade, should be called at least yearly for pass by or near Salem, and thence by or full discussions of all subjects pertaining near Mt. Airy to the Virginia line. The thereto; for much as theories, essays or in-Public Treasurer to be authorized to sub- dividual efforts may tend to advance this scribe to the capital stock one midion of great cause, the combined and united exerdollars, to be paid with the second Mort- tions of those striving for one purpose, must gage Bonds of the Wilmington, Charlotte & make far greater strides. Besides, teach-Rutherford railroad, one-half of which is to ing is eminently a practical art, and one for her liberty. be spent on the East, and the other on the which will be susceptible of improvement West of the N. C. railroad, and private sub- so long as the human mind shall be capascriptions are to be expended upon that side | ble of making new discoveries in know of the N. C. railroad upon which the stock- ledge. holder lives. The bill has been referred to Primary education in its general or uni-If any portion of the State can claim con- ted, must be conducted in its details with sideration it is that section through which the greatest circumspection; and among ate dead. To them all future ages will look be greatest circumspection; and among ate dead. To them all future ages will look becoming the dignity of the Court.—

But now a very different state of things next, as the time for the meeting of such National ate dead. To them all future ages will look place to the following act, passed by the this proposed road is to run. To find an other considerations which should receive with wondering admiration, and exclaim, inlet or outlet, the people of Forsythe and strict attention, is that which should pre-Surry have to wagon their products and vent the careless mingling of the sexes .merchandize many miles. A vast ex- With great reason we have cause to be tent of rich agricultural and mineral lands proud of the chastity of the females of our will be open to the North Carolina roads, State, and it should be our constant care to whose wealth is now locked up or finds a throw around them every proper safeguard tedious and expensive outlet through Vir- to secure to future generations this pure ginia.

the matter of Hughes, already published in which leads us to assert the belief, that the Journal, has excited much comment much of the vice so prevalent among the among the bar in attendance on that Court ismatical propagandists of many portions and the members of the Legislature. It is of the North, is traceable to the promiscualmost universally condemned in unmeasur- ous and unrestrained mixing of the sexes ed terms. That such a paper, evidently pre- of all ages at the public schools. pared before the beginning of the term and What has been stated is intended to be case before the Court, should be Per Curi tinet. We will go as far, and do as much am, surprises and mortifies the friends of for the blacks in their own sphere, as any ed during an election long since decided, fion. Give to them every facility for imit is at least to be regretted that it is not provement; protect them in every right; done with more ability.

Bladen Manufacturing Company, were call- them, for by so doing we fulfill our duty, Wm. Pollock, of Pittsfield, Mass., died ed up and passed to an enrollment, through and we do that which will redound to the ecently, leaving \$1,500,000.

the efforts of Mr. Lloyd, who watches with

Education in North Carolina for the Future

Nothing received a greater shock in the great and disastrous struggle through which Relief of the People Probable Legislation the South has passed in the last six years thereon_Caucusses and Rumors_New than Education in all its useful branches. more earnest consideration, or receive moregenerous support and wise direction. Ta-Dear Journal :- With the second day of king it for granted that its paramount im-

ation. The bill was sustained by Mr. Leach ples of government alike declare the neces- guous to this market. In many instances be so again? McCorkle. The negatitive had the better mentary elements may be imparted to all. shipment, the permits were without the made between the cities of Richmond and ernment. The illustrious Chief Justice dered by a Court having no jurisdiction, or dition, the condition of their parents of the argument, but the affirmative the To estimate the value of such acquisition official seal. They have been in the habit Petersburg by which loaded cars may ren majority of votes. The bill passed its on their part, is more than human wisdom of issuing permits and draw back papers, from the Cape Fear to the Potomac. second reading on Thursday, and pending may accomplish. What then is that method drawn up properly it is true, but simply What then hinders our merchants from its final passage on Friday, the Senate ad- by which all the children of the State may bearing the signature of the officer, accom- sending molasses, sugar and the like West journed. It will come up again to-day as receive that rudimentary instruction, which panyed with an imitation of a seal. Cotton India goods by rail to those cities, and in will enable all to enter the course of an ac- so sent, has been detained by the Collec- return bring flour and tobacco, either for The bill provides that where property is tive, busy life with fairness and hopeful tor of this district, who, in obedience to home consumption or exportation? The lumto be sold under execution, it is to be val- prospects? We believe that the first re- instructions, has refused to recognize all ber wanted in the West Indies should bring ued by two disinterested freeholders, and quisite is to have uniformity; the second permits wanting the official seal. Our mer- in at low prices all the molasses, sugars, &c., unless it brings its full value, the Sheriff that the instructors shall be thoroughly chants have in instances of this character &c., wanted, not only to supply North Caror other officer shall postpone the sale for competent, and the third, that there be been compelled to return the papers to the olina, but a portion of Virginia from this a sense of shame and sorrow on reading twelve months. This is one of the many some fixed and responsible head; that head point from whence issued, in order to have port. schemes of "relief" now before the Gen- made so by definite appointment, and con- them bear the impress of the official seal. eral Assembly, but as the Supreme Court trolled by palpable law. To establish uni- Particularly has this fact been noticed in of the United States has already decided formity, the law must place in the hands of connection with papers accompanying cot- do the business will be overdone. in express terms the unconstitutionality of some party or parties the duty of organi- ton from the first district of South Carolia similar act by the Legislature of Illinois, zing a system and establishing regulations. na. and wicked clap-trap, and may lead to dan- Board of Education or of Public Instruc- District Collector furnish his Deputies with gerous and ruinous ends. Under the false tion, and we know of no more desirable blanks bearing the impress of the official security of such a law, should it again be arrangement. The proper qualification of seal, and there will be no difficulty in the held unconstitutional, vast amounts of pro- the teachers may be secured by requir- way of recognizing the permit when the perty may pass from its owners for a "mere ing from all those who adopt the high and cotton arrives at the port of shipment, song," for if the act does not protect the responsible calling of instructing children, and the inconvenience resulting to the merdebtor, the highest bidder, however insig- that they possess characters unblemished chants from the present loose system of donificant the offer may be, would secure the by moral deformity, and intellects trained ing business on the part of collectors will property should it be withdrawn after once and directed to the object in view. Why be done away with

are lawyers, physicians, merchants, bank-The General Assembly is very justly de- ers, tradesmen, in fact, almost every other upon the tens of thousands of writs which that just discrimination of particular temnal to be returned to, as many, very many spring from innate rectitude. These are requisites in men and women who go forth from the Southern States, except in the cases of The committee appointed by the House to teach; and added to these must be a

are poor, let us realize that practical truth, Mr. Waugh, the intelligent and zealous that men generally do that best for which Commoner from Surry, introduced into the they are best paid. Honorary titles and House on Friday, a bill to enable the West- empty honors, will not secure either in ern (Fayetteville) railroad company to ex- such a Board, or in teachers that talent tend its road across the N. C. railroad to which is indespensable to accomplish

the committee on Internal Improvements. versal application, as is herein contemplaand inestimable virtue. It is not prejudice, The decision of the Supreme Court in but conviction, founded on observation,

appended to the case in question with as alike applicable to both races, white and much propriety as if it had been to the Ap- black; but it should be forever required prentice case. (see elsewhere) or any other that the two races be kept separate and dissome of the distinguished Judges. When one; but for every reason which ought to the Supreme Court enters the arena of pol- influence the good and wise, we insist upon ities to reply to anonymous letters publish- complete distinctness of race and associaassist and direct them in every effort for The New Hanover Criminal Court bill their advancement, and, until they can have has not yet been reached in the House. In persons from among themselves properly the Senate, on Saturday, the bills to incor- educated for the duties, let us from our of all decisions of important general inporste the Bladen Land Company and the best men and women furnish teachers for terest as early as possible.

icalous care over the interests of his con- tect ourselves against the false teachings of those who do not love, if, in truth, they do

Internal Revenue.

Railroad Project_The Supreme Court_ No subject ought at any time to command this District in reply to letters asking for we see that in 1860 there was more Cotton to pronounce what is the law arising upon

properly filled, in accordance with instruc- preference to Virginia cities. purports to have been issued."

The remedy proposed is this: That each

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE, Washington, January 22d, 1867. Sin: Yours of the 17th inst., enclosing permits for the removal of Cotton not bearing the impress of the seal of the Collector for the district where issued, and asking if this was considered essen-In reply, I have to say that officials in all Cotton

ector or other officer, by whom it purports to rave been issued. Very respectfully, W. HARLAND,

Deputy Commissioner. L. G. Estes, Esq. Collector 2d Dist., Wilmington, N. C.

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE, Washington, Jan. 22, 1867 Six:-Yours of the 17th inst., en:losing letter of Williams & Murchison, relative to the order of the Collector of Customs, requiring them to show per-York, was duly received. In reply, I have to say that it is not necessary to have permits for the removal of merchandize,

liable to tax, under the Internal Revenue Laws, Cotton or other merchandize, transported in bond.
Respectfully,
W. HARLAND, Deputy Com'r. L. G. Estes, Esq., Collector 2d Dist., Wilmington, N. C.

Wirn feelings of pride, affection and gratitude for its author, we call attention to the speech copied on our first page, of Major Moses, lately delivered in the Legislature of Georgia. To worthily notice its patriotic eloquence is more than we can even hope to do; but the sentiments expressed in its glowing language touch, like electric fire, every chord of our heart's dearest and tenderest sympathies. From every sentence we may learn the lessons of truest patriotism, and by every word which fell from his lips, which seemed inspired by the theme, we are taught to love, to honor and to cherish all that is honorable in a noble life-all that is glorious in heroic death.

Let the young and the old of every class in our own beloved State learn to expe rience and practice that patriotism, that pride, that affectionate gratitude, which will

ashes, and we know that they will inspire matter. their remaining husbands, sons and broth- An Act Regulating the Depreciation of ers, and their descendants for all time, to be worthy of the record of our Confederpeerless immortals!

Apprentices.

tant decision of our Supreme Court depreciation therein provided, applies to upon the question of Apprentices. There debts therein named at the date the conis no question of more general interest to our people at present, and it has been the subject of an important correspondence between Governor Worth and General Howto confer with the State authorities.

The General Assembly, on Saturday last, amended the fifth chapter of the Revised Code, by striking out in the first and second sections thereof, the portions making a difference between the binding out white and black children. The law is now the same,

without regard to color. The decision which we publish to-day will be found to possess general interest upon this subject, and will correct errors heretoreference to this matter.

There have been so many radical changes in our laws, and so many questions of grave importance are being settled by the or expense to get early and correct reports security of the Government,

negro's most lasting welfare, as well as pro. Crops of Eastern North Carolina for eight years preceding the War,

We present to our readers the following tables of leading articles transported over the Wilmington and Weldon Railroad, Judge can be guilty, is that of going be from the Deputy Commissioner of Internal and carried to Weldon for either Peters-Revenue at Washington to the Collector of burg or Portsmouth. From this statement instructions on certain questions. The in- brought to Wilmington than was carried to a certain state of facts submitted to him. the attention of Collectors of Districts con- 893 bales to Wilmington and 15,363 bales

It will be seen that the instructions by this table, as indicating the direction expressly direct the Collector at this point certain products take for their market; for in judicial decisions, and to them is attachto refuse to recognize all permits for the example, bacon, wheat, flour and naval ed as much, or as little importance as the removal of cotton where the blank is not stores, uniformly sought Wilmington in character of the Judge may, in the reader's

the Collector or other officer by whom it city and open wholesale stores here for the questions with these of a purely legal nasale of goods usually wanted by our people ture; but with the former an American We publish these letters with a view to east and west, we might draw to our town remedy an evil to which our merchants much that now goes elsewhere. Who will ignorance of Collectors or their deputies, the war, the best West India goods market as applying between governments. If he

where cotton has been sent to this port for Very soon the railway connections will be ciary is the sheet anchor of every free gov-

Who will move in this matter? Let us see : but don't all start at once, for if you

More of this again. Statement of the Leading Articles of product transported over the Witnington & Weldon R. R. from 1st October, 1853, to the 30th day of

11 22 22 22 22 23 21

To som.	WILMINGTON & WELDON RAIL ROAD COMPANY. Receipts from business done by this Company for 1865 and 1865, for three months u each year, beginning with Outober 1st, is stated in the following table of companison: 1865. October gross receipts November " " \$31,950 28 45,483 89 December " " \$18,727 28 \$189,761 70	MINGTON & WELDON RAIL ROAD COMPANY. business dome by this Company for 1865 and 1865, for thr ginning with Outober 1st, is stated in the following table 1865. 1865. 1875. 1879. 1885. 189	stated in the state of the stat	Total notion is WELDON RAIL ROAD Company for 1865 and beginning with Outsider 1st, is stated in the full 1865. 1865. 1865. 1865. 1865. 1865. 1866. 18	WEL	ress don ng with prs	m busin beginnt ss rece	Receipts from each year, ber rison: October gross November " D-comber from	Receip in each y parison : Octobe Novem D-com	H 12.00 Hr 10.00 Hr	DON. 991 786	ED AT WELDON 1,200 174 174 189 326 326 226	15,723 15,723 15,723 18,125 17,541 10,716 3,556	ARTICIES DELIVERED \$7 25 1.110 28.663 25 2.210 2.956 15.723 26 2.910 9.832 13.383 26 9.416 12.045 18.125 20 9.416 12.045 18.125 20 9.416 898 14.638 20 9.416 898 14.638 20 9.416 898 14.638 20 9.416 898 14.638 20 9.416 898 14.638	RTICI 2,210 5,590 9,416 8,265 2,361 2,361	SAME A 5,925 10 5,925 14 5,500 11 4,400 10 10,875 15,868 19 19,676	1,38,45 1,38,4	673,060
8 386	6,672	10,976	16,850			34 451	103,223	,057,297	1861 1	8,536	9,672	10.750	13,201	10.338	8.401	14,778	101.464	381,228
7.789	14.0%6	23.323	65.573			31.2%	12.713	379,610		7.732	18,033	22.751	52 457	5.703	10.847	15.833	811.8	777 082
10,689	24 204	27,050	76,222	52,112	12,952	23.553	20,868	275,678		10,038	21,170	23.935	61,521	51.214	10.501	10.782	19,461	271.780
2.173	19,719	20,050	93,639			19,058	12,547	650,347		2,173	10,712	23,877	78.038	80.550	10,800	8,683	11,817	141,810
1.441	12	28.27	87,676		20,247		9,856	572,582	-7.	4,470	12,875	28,103	69, 551	50,566	19,622	8,551	2,015	369,046
11,028	19 005	30.5.11	73,430	67,510	15/184	12,935	31,918	527,578	200	10,674	19.9 5	30,419	63.047	57,678	9,584	7,435	29.351	518,738
9.108	18,721	34,713	00 224	0.052 100 224	4.921		25.807	527.426		8,397	17,935	31,038	54,5E	116	2,781	7.650	17,878	521,936
0.944	13.469	31.712	113.888	1.1961	270	7.088	15,973	199,812	1	6,930	12,478	29,423	85,225	8.	215	2,511	15,815	193,763
Tar.	bales. bois. bushs. bids. bids. bbls. bbls.	pts. turpt.	bids.	Wheat bushs.	Flour bois.	bashs. bales. bois.	Jushs.	Ba con		Sbis.	bbls.	sors, curpt of	tionin bbls.	bashs.	bbls.	bales.	oushs.	Bacon Bs.
	20	UN SAD	MINIT	AL WES	THE PERSON	DELLEY	11/1/1/1/					WILMINGTON.	MALLAN	DELIVERED AT	I A PAR	20		

We publish the strictures of "Vindex" cause us forever to enshrine in our hearts in another column because the decision of the memories of North Carolina's immortal the Supreme Court to which they refer, dead, and to embalm in imperishable his- and which we have heretofore published. tory the deeds of those children who died is a matter of public interest, and is a fair subject of criticism. We know that "Vin-Into the hands of the pure and noble dex" entertains the highest respect for the women of our State, we with love and re- judicial office, and is prompted by no deverence commit the sacred keeping of their sire to gratify any personal feeling in the

Confederate Currency. As a matter of interest to the legal pro- for that it was unnecessary and un- the Courts, place to the following act, passed by the resent Legislature on the 24th inst.

An act to construe "an act to establish a scale of depreciation of Confederate currency," ratified the 12th day of March, 1861. We publish this morning an import doubts having arisen whether the scale of tracts were made, or at the date the debts

Therefore, to remove all further doubts and to prevent all further trouble. Be it enacted by the General Assembly of ard, and General Sewell is now in Raleigh by the authority of the same, That the scale of de preciation of Confederate currency, established by the above entitled act shall be construed to apply to debts therein mentioned at the date of con tracting the same, and not at the time said debt

> Be it further enacted, That all laws and clauses of laws, conflicting with this act be, and the same are hereby, repealed. R. Y. McAden, Speaker H. C. M. E. Manly, Speaker Sen. Ratified 24th day of January, 1867.

Impeachment.

sources of information, touching the secret eigh rendered him infamous. sources of information, touching the secret eight rendered him infamous.

| guarded. | guarded. | Trumbull, the chairman of the Judiciary | The case before us shows the propriety | Trumbull, the chairman of the Judiciary

National Intelligencer.

The Supreme Court_The Hughes Case_

Traveling out of the Record. One of the grayest faults of which from 1854 to 1861, showing the quanti- youd the questions presented for his de-We give below two letters lately received ty of each article brought to this market cision to pronounce an opinion upon other matters not necessarily involved in the is sne. Under our system his duty is simply structions will be found of importance, and Petersburg and Norfolk together, viz: 15,- Every postulate laid down by him not presented by, or logically springing out of, the facts before him, is a mere dictum (as There are some interesting facts shown it is technically termed) and of no binding tody of the defendant. authority. These dicta will often be found opinion, justify, but they are not authority. It may be, and in revolutionary times it is, right to look to the merits of the case. difficult to avoid intermingling political Judge has nothing to do, except perhaps where questions of constitutional law may be involved, wherein he is restricted to the party, he soils his ermine, and prostitutes or that they had no notice of the proceed- is shown the propriety of having the perhis office. The independence of the Judi-Marshall said, "the greatest curse which against a person who has no notice to de- or friends, who have charge of them people, would be a dependent Judiciary.'

No State has ever had a purer or more independent Bench than North Carolina. Chosen for high character and legal attainments, and elected by the Legislature for life, our Judges have been the peers of any in America. The opinions of one, at State has been spotless. But we confess to | binding void ? the judgment of the Supreme Court in the in the Journal of the 24th inst. Hughes tences, a citizen of New York, and a requisition having been issued by the Governor tained of New York to the Governor of North Carolina for him, and having been comwere the only questions presented, and the process is void.

Court very briefly decided both in the afany opinion at all; and the fact that the it seems clearly to be contemplated by the opinion is interlarded with slang phrases statute itself, that whenever it is necessary only be relied upon to correct those errors which and bad English does not alleviate our sor- for the Court to take any action in regard have always resulted from a departure from the row in the least. Nor do we find greater to orphans, the orphan shall be before the consolation—after reading a long defense Court. of the President's "policy"—in the discovery that the argument resolves itself into a vindication of the authority of the tic of the people of North Carolina, and been otherwise. We have had, hitherto, dimon of our national affairs calls for the interpo-

Judges-if, for no other reason, simply there were no inducements to frauds upon guaranteed to it in our great Federal Compact.

fore fallen into by our County Courts in rators, have been made public, but what is never come in North Carolina when the of what we have just said. Take the case stated to have actually transpired should Court—which has thus unnecessarily gone as stated by Judge Gilliam, the petitioners eligible for the Presidency any one who have been to the effect that they are deter- out of the way to proclaim that it is a Court are females, respectively thirteen and fif- has ever held the office. It is, of course mined upon it. We fear that the conspira- and to lay down a certain political theory- teen years of age, an age when they stand offered as an amendment to the Constitution tors contemplate at this time such desper- may have either to swallow its own decis- most in need of the oversight of their tion. Mr. Wade announced his purpose to ate steps that the country will literally re- ion, or to repeat it; and we further express parents and friends. They are industri- press its immediate passage, in order Supreme Court, that we shall spare no labor coil should they move on to the consumma- the hope that if, hereafter in any similar ous, well behaved and amply provided give opportunity for the legislatures now in tion of their plots against the integrity and vagaries the Court should again accident for in food and clothing. They live session to act upon it. absolutely necessary again judicially to better off could they be or need they be?

Reported Af the Journal. APPRENTICES. Important Decision of the Supreme Court.

Ambrose vs. Russell. The petitioners are persons of color, who, ogether with their parents, had been slaves. returnable before Judge Gilliam, who, up-

ty Court, binding out the petitioners? In this we think there was error. The the rapacity of some bad man sought to defendant who claims the right to restrain take them away. the liberty of the petitioners, must show Court had the power to make the order, Court may select the best masters.

least, of them have been quoted as author- no notice of the proceedings against them, humane and intelligent Judge who heard ity in Westminster Hall, and up to the and were not present when the order of the the cause, would never have remanded the present time the judicial ormine of the County Court was made, make the order of petitioners to the custody of the defendant.

habeas corpus case of Hughes, published ple, that no freemen shall be divested of a fendant, as because there was no propriety was charged with cheating, by false pre- he shall have been made party to the pro- ces of their parents and friends, to bind ceedings in which it shall have been ob- them to any person.

In all proceedings of a judicial nature, it is were to be put, supposing that they were liaplied with, and Hughes having sued out a necessary that the person whose rights are bleto be bound out at all. Our statute, Rev. habeas cornes, the only questions present to be affected should, in some way, be a Code, chap. 5, see. I. passed before the ed for the consideration of the Court were party to the proceedings. It is not suffi- war, provides that "It shall be the duty of 1st, Was his offence a crime according to cient that the Court should have jurisdic- the several Courts of Pleas and Quarter the meaning of that word in the United tion of the subject matter, it must also have Sessions to bind out as apprentices, all or-States Constitution so as to justify his sur- jurisdiction of the person. It is a clear phans whose estates are of so small value render to the Governor of New York ?- dictate of justice, that no man shall be de- that no person will educate and maintain And 2d. Could the Governor of North Car- prived of his rights of person or property, them, for the profits thereof." And after olina arrest and deliver Hughes a second without the privilege of being heard .- enumerating other classes, the statute protime, after he had oncebeen allowed to leave Stallings vs. Gully, supra. And, it is well coeds: "Also the children of free negros, the State of New York on bail? These settled, that judgment without service of where the parents with whom such children

We deeply regret, for the honor of the cr notice to the person to be bound, nor color." Court and the State, that the judgment did his presence in Court is necessary. It But it is not necessary, and therefore it not end with the announcement of the de- is true that in the opinion deliver- would be improper for us to enter into the cision. But, while admitting that no such ed in that case, it is said that, "there consideration of those questions, because, points were made in the case, the court, is nothing in the statute requiring the whether they belong to one class or anothoppressed by "a decent regard for public presence of the orphan when the binding er, they were entitled to notice before they opinion," proceed through the Chief Just takes place, though it is usual." But the could be bound out, and as they had no tice to discuss, at great length, the question case did not require that point to be de-whether Governor Worth is rightfully in cided. That case was this: An orphan had was void, and therefore, they are entitled his office; whether the Convention of 1865 been bound out by the Court, and a third to their discharge and to go whereso ever was a rightful Convention, or an "unlaw- person applied to the Court to vacate the they will. ful assembly," and whether the Legislature order binding out the orphan, and to bind called by the Convention, and the officers of him to that third person. The orphan was the State (including themselves, of course) not moving in the matter himself, and, of were lawfully appointed or elected! The course, the Court refused to interfere at court starts out in consideration of these the instance of a third person, who had no questions with the admission that no con- interest in the matter. So that we cannot stitutional law was involved, as the Con- give to that case the force of a decission offered by Hon. Thos. B. Florence, of Pa. vention was "neither constitutional nor un- upon this question. The case before us is were unanimously adopted by a meeting of constitutional." Of course no municipal law at the instance of a person whose liberty the members of the National Democratic was involved, and as international law could has been affected by the order and he has not apply, according to the theory of the the right to raise the question. And we Association, held in Washington City, on Court, there was nothing left to discuss but think it clear, that whether the statute the evening of the 23d inst. a question of politics-and there are two requires it or not, the petitioners have Whereas the sacred bequest of that greatest of melancholy columns of this, which will for- the right, upon general principle, to suman blessings a free constitutional government ever stand as a reproach upon the pages of be present, or at least to have notice has imposed upon us the imperative duty of transour Reports. Being nothing but a political of the proceedings. And although the mitting it unimpaired to our posterity. essay, they are grossly out of place; being stainte does not in terms require it, gress has created a well grounded apprehension a very weak political essay, they reflect no (which is probably all that was meant by that, to preserve a partizan ascendancy, this credit on the statesmanship of the Court, the learned Judge in the case of Owens es, priceless heritage is about to be recklessly sacriand being generally accepted as a reply to an Chaplain,) yet it is fairly to be inferred .- fixed by the overthrow of the just independence of and being generally accepted is a reput to the statute, sec. 5, requires the master to by grasping in the bands of one of the great cotributed to the late Chief Justice of the Court, give bond to produce the apprent ordinate branches of the government all the pow they strongly savor of the hustings. - lice before the Court whenever required. And ers which have been so wisely distributed among Whether the conclusions of the Court in sec. 7 it is provided, that when a Mag- the three, and which distribution cannot be dison these political questions are right or istrate shall permit a house-keeper to em- whole system. wrong, is not a matter of the slightest ploy an orphan, he shall take his "recog- And whereas the history of the past has full consequence, as they are not binding .- nizance to bring the said orphan to the next demonstrated the great truth that the Democra The impropriety lies in the expression of County Court" to be bound out. So that, the Party, though sometimes erring, has never

Reverence for authority is a characteris- duty by our Courts. It could not well have the Supreme Court have always received a but few orphans to bind out. Of course we sition of that great power from which, under much larger expression of this sentiment did not bind out slaves, and there were but Heaven, we can alone look for the salvation of our much larger expression of this sentiment did not bind out staves, and indigent white chilthan any other department of the State few free negroes, and indigent white chil2d. That we believe it expedient that a National government. They have always enjoyed dren usually found friends among their rela- Democratic Convention should assemble at an he profound respect of the people, and we tions to take care of them. And in the few early day to take into consideration the poculiar are gratified to say that as a body they instances where binding was necessary, perils which now surround us, and to take such have always deserved it. But it will not care was taken by the friends of the chil-steps as may be deemed necessary for the general require many such "opinions" as this one dren, and by the Court itself, that the best 3d. That in our judgment a general invitation in Hughes's case to bring that tribunal into that was possible should be done for the to unite in such a convention should be extended public contempt. We confess to some sur- child. And, besides, apprentices were to all those of every shade of previous position prise at not seeing a disclaimer, of all that follows the decision of the two points raised, by one or the other of the associate interest in their personal welfare, so that ing to cach of the States the rights which are

The little eccentricities of the Chief Jus- exists. The war has impoverished the Democratic Convention tice have heretofore been overlooked in country, and made wrecks of the estates of view of his own great learning, and the orphans, and its casualties have greatly inpure and steady lights by his side, but we creased their numbers, and one-third of the should deplore as an indication of the de- whole population are indigent colored per- ro, from New Hanover, no error. In Moore cline of public virtue, that state of indiffer- sons. So that the exceptional case which we'rs Felton, equity, from Halifax, directing ence which would suffer a judgment like used to have, must be greatly multiplied, and the report to be reformed. In Hughes, the one under consideration to be pronounced without evoking a comment. - ty Courts must be increased in proportion. There is an esprit de corps among the Bar It is, therefore, of great importance that from Columbus, affirming the judgment. which prompts them at all times to sup- their duties, and the rights of both appren- In Davis es Dashnal, Pasquotank, affirming port and defend the judiciary in the distices and masters, in the proceedings for the judgment. In Hall vs Thorburn, from charge of their duty, and we should grieve binding, should be defined and under. New Hanover, affirming the interlocutors to see any abatement of this spirit among stood. We have no hesitation in say. decree. them; but it is no evidence of the existence ing that in all cases of binding By Reade, J. - In Harriet and Eliza Amof this spirit to be silent in the presence of apprentices, whether white or colored, it is brose, children of color, ex parte discharge a indicial impropriety affecting the public the right of the person to be bound to have ing the petitioners. In State as Merritt interests. There are no public officers who notice, and it is the duty of the Court to from Duplin, no error. In M. Egypta de should be so carefully shielded from unjust see that they have notice, and it is, to say Oliviera vs the University of North Caroattacks as the judiciary, for reasons suf- the least, prudent in the Court to require lina, from Chowan, in equity, demurer ficiently obvious, and for the same reasons that the person should be present in Court, overruled and cause remanded. there are none to be held to such strict ac- There can be no case where notice can be J. Edwin Moore, of Martin county, to countability. The sturdy refusal of Lord dispensed with, and the actual presence of ceived license to practice law in the Supe-Coke to yield either to the persuasions or the person ought only to be dispensed with rior Courts. - Raleigh Sentinel. threats of his King covered him with glo- where he has intelligent friends present, Various reports from superior Radical ry; his brutal treatment of Sir Walter Ral- who can see that his interests are properly

tally confront the question whether a State with their mother and step-father who are had a right to secede, it will not deem it of good character and are well to do. What Congress to repeal the law against polygatled by the result of the war."

VINDEX. VINDEX. What interest had society in having their that of an editor quoting from a relations broken up, and themselves put per one of his own articles, and heading under the care of strangers, with no affective wit."

tion for them-nor any other interest, except gain from their services. Now if these persons or their friends had been present when the application was made for their binding, would any Court in the State have bound them out? Of course not. It would have been a gross outrage if they had. A Court ought not to and will not bind out and were emancipated by the Ordinance of an orphan unless it appear that its condithe Convention. They were taken in custion will be improved. It is a high duty tody by the defendant Russell, who claim- of the Court, and one which they perform ed to hold them as apprentices, under an with pleasure, to protect these helpless chilorder of the County Court of Robeson, purderen and not only prevent oppression and porting to bind the petitioners to him. The fraud, but to act as a friend and guarding petitioners obtained a writ of habeas corpus, and improve their condition. I remember that when I was at the Bar, the County Court on the hearing, remanded them to the cus- of Granville had ordered sundry orphans to be brought to Court to be bound out. Two questions are involved in the case : Among them were three or four who were I. Had the Judge, upon the hearing, the neat and clean, and their mother was with right to look behind the order of the Coun- them, and cried much, but said not a word Upon enquiring it was found that she was His Honor was of the opinion, that he an honest industrous woman and widow was precluded by the order, and had no who had labored hard for her children and just when they could begin to help her

Some gentleman of the Bar suggested. his authority. And when he shows the that instead of taking away her children order of the County Court, the petitioners there should be a contribution to enable have the right to reply, that the order is her to keep them, and it was readily resshowing that they were not such persons as the crowd, and a handsome sum was given ings against them, and, thefore, no oppor- sons actually present in Court, in order angry Heaven could inflict upon a sinning fend his rights, it is no judgdment at all, and to hear their own simple story, and if Stallings vs. Gully 3, Jones R. 344. And binding be necessary, to see their capacity in Price vs. Hight 6, Jones R. 265. This and fitness for one employment and anoth Court did look behind the order of the er, and also to give publicity to the matter, County Court, to see whether the County so as to invite applicants, in order that the

i.e. had jurisdiction over the petitioner. In the case before us it is manifest from II. Does the fact that the petitioners had the statement of the case sent us, that the if he had supposed that he had the right We think it does. The constitution and to look behind the order of binding-not laws of the country guarantee the princi- so much perhaps for any fault in the deright by the judgment of a Court, unless in taking them from the society and servi-

There was an interesting discussion at the Armstrong vs. Harshan, 1 Dev. R. 187. bar as to the class with which the petitioners may live, do not habitually employ their The case of Owens vs. Chaplain, 3 Jones | time in some honest, industrious occupa-R. 323, is relied on as showing, that neith- tion, and all free base born children of

READ! J.

Important Suggestion for a National Democratic Convention.

The following preamble and resolutions

And whereas, the course of the majority in Conthe States, which are its safest depositaries, and

theless adopted, and still maintains, the true theo ry of our peculiar system of government, and can true, fundamental principles on which that gov ernment was founded:

And whereas the public mind seems to be per-The proceedings of our County Courts vaded by a general uneasiness, which has become have been in a summary way in bind- so far organized in one State as to manifest itself ing out apprentices. And, although in a proposition for a call for a Constitutional Con-Court, and finally tapers to the following it has been usual to have the per- vention, and in the four states of Kentucky, Onio Court, and finally tapers to the following it has been usual to have the per- Connecticut and New Hampshire, as to have prosickly conclusion: "At all events it seems son to be bound present, yet we know duced a recommendation to hold a National Conto us entirely clear that the officers of the from observation, that it has not been in- vention at an early day to take into consideration State who have been by this means, and in variably the case, yet our Courts have usn- the peculiar dangers that are now impending over State who have been by this means, and in this manner, chosen and inducted into ally acted with consideration, and have office have rightful jurisdiction and power guarded the rights of the apprentices. and to discharge the duties of their respective given satisfaction to society. And there already expressed, the National Democratic Association offices until some other provision shall be have been as few complaints of the abase ciation feels called upon to give expression to as made for the government of the people"!!! of power in this, as in any other exercise of own sense of public daty in the present emergency, therefore be it resolved,

1. That in our opinion the present perilous con-

4th. That we recommend the city of New York

Supreme Court Opinions.

By Pearson, C. J.—In the State rs Phar

By BATTLE, J.-In Grissett vs Smith

In the Senate, on Saturday, an important proposition was introduced by Mr. Committee, which is designed to make in-

National Intelligencer.

A good instance of absence of mind was The Utah Legislature has petitioned "suppose that question to have been set- What interest had society in having their that of an editor quoting from a rival particular."